

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appellants: David J. Waller Title: PRINTING MECHANISM AND METHOD Appl. No.: 10/780,169 Filing Date: 02/17/2004 Examiner: Uhlenhake, Jason S. Art Unit: 2853	<div style="border: 1px solid black; padding: 2px;"><u>CERTIFICATE OF FACSIMILE TRANSMISSION</u> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.</div> <div style="border: 1px solid black; padding: 2px; text-align: center;"><i>Todd A. Rathe</i> (Printed Name)</div> <div style="border: 1px solid black; padding: 2px; text-align: center;">_____ (Signature)</div> <div style="border: 1px solid black; padding: 2px; text-align: center;">_____ (Date of Deposit)</div>
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BRIEF ON APPEAL

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Real Party in Interest

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249, Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware corporation, headquartered in Palo Alto, California. The general or managing partner of HPDC is HPQ Holdings, LLC.

2. Related Appeals and Interferences

There are no related appeals or interferences that will directly affect, be directly affected by, or have a bearing on the present appeal, that are known to Appellants or Appellants' patent representative.

3. Status of Claims

Claims 1-56 were originally pending in the application. In response to a first substantive Office Action mailed on April 14, 2006, Claim 1 was amended. On September 28, 2006, a final office action was issued finally rejecting Claims 1-56. On November 28, 2006, a notice of appeal was filed and on January 29, 2006, a first appeal brief was filed. On April 27, 2007, a replacement appeal brief was filed. On November 14, 2007, a reply brief was filed. On February 5, 2008, the Examiner reopened prosecution with a non-final rejection allowing claims 1-12, 29 and 30; objecting to claims 14, 15, 19, 23 and 37 and rejecting claim 13-22, 24-28, 31-36 and 38-56. The present appeal is directed to Claims 1-56, i.e., all of the presently pending claims in this application.

4. Status of Amendments

No amendments were filed after any Final Office Action.

5. Summary of Claimed Subject Matter

A. Claim 13

Claim 13 is directed to a printer (10) comprising:

first and second sleds (34a, 34b), said first sled (34a) including a first engagement structure (42, 242) and first and second retaining walls (48, 49) positioned on opposite sides of said first engagement structure, and said second sled (34b) including a second engagement structure (43) positioned adjacent said second retaining wall;

a servicing station drive structure (54a, 254) movable between a disengaged position, a first engaged position, and a second engaged position, said drive structure in the first engaged position engaging said first engagement structure and

said drive structure in the second engaged position engaging said second engagement structure (Fig. 2; Fig. 14; page 5, line 25-page 6, line 21); and

a biasing member (54c) that biases said servicing station drive structure to move from said first engaged position to said second engaged position (page 4, lines 11-17).

B. Claim 16

Claim 16 is directed to the printer according to claim 13 further comprising a biasing member (54c,) that biases said drive structure to move from the first engaged position to the disengaged position, said first retaining wall including a retaining region (106) that retains said drive structure in said first engaged position (page 6, lines 9-12) and against biased movement to said disengaged position when said drive structure is positioned within said retaining region (page 6, lines 2-5)..

C. Claim 20

Claim 20 is directed to a printing mechanism (10) including a printhead (18), comprising:

means (34a, 34b) for servicing said printhead, said means for servicing including means (48,49) for retaining and first and second means(42, 43) for engaging; and

means (54a, 254) for translating said means (34a, 34b) for servicing said printhead, said means for translating operable to move from a first translating position in engagement with said first means for engaging to a second translating position in engagement with said second means for engaging,

wherein said means for retaining includes a retaining region (103a, 103b), and wherein said means for retaining retains said means for translating in said first translating position when said means for translating is positioned within said retaining region (103a, 103b). (see page 5, line 11 – page 7, line 6)

D. Claim21

Claim 21 is directed to the printing mechanism (10) according to claim 20 further comprising means (80) for shifting said means for translating between a

disengaged position and said first translating position, said means (80) for shifting biased to shift said means for translating into said disengaged position in the absence of an external force on said means for shifting (page 5, lines 5-10).

E. Claim 24

Claim 24 is directed to a method of actuating a servicing mechanism (36, 37, 38 to service a printhead (18, 218), comprising:

- moving a translation device (54a) into engagement with a retaining region(103a, 103b) of a first servicing mechanism(48);

- powering said translation device such that said first servicing mechanism is moved with respect to said translation device such that said translation device is positioned out of said retaining region (103a, 103b);

- moving said translation device into engagement with a second region (104) of said servicing mechanism (34b); and

- powering said translation device such that said second servicing mechanism (34b) is moved with respect to said translation device (see page 5, line 11 – page 7, line 6).

F. Claim 31

Claim 31 is directed to a printhead servicing mechanism, comprising:

- a driveshaft (52, 252); and

- a sled (34a, 34b) including a rack (42, 43) adapted to selectively engage said driveshaft and

- a retaining wall (48, 49) positioned to retain said driveshaft on said rack in a zone (103). (see page 5, line 11 – page 7, line 6)

Claim 42 is directed to a printer (10) comprising:

- a sled (34a) including an engagement structure (54a) and a retaining structure (48, 49);

- a power shaft (28, 228) that transmits power to a driveshaft (52, 252); and

- the drive shaft (52, 252) movable between an engaged position and a disengaged position, said driveshaft (52, 252) in the engaged position engaging said

power shaft (28, 228) and said engagement structure of said sled so as to transmit power from said power shaft to said sled,

wherein said sled retaining structure (48, 49) retains said driveshaft in said engaged position in a predetermined zone (103, 104) of said retaining structure (48, 49) (see page 5, line 11 – page 7, line 6).

G. Claim 46

Claim 46 is directed to a printing mechanism (10) including a printhead (18), comprising:

means (54a) for translating a means (36, 37, 38) for servicing said printhead, said means for translating biased to move from a translating position and a non-translating position in the absence of an external force on said means for translating (page 5, lines 5-10).; and

means (36, 37, 38) for servicing said printhead (18), said means for servicing including means (48, 49) for retaining said means for translating in engagement with said means for servicing in a predetermined zone (103, 104) of engagement of said means for retaining (48, 49) (see page 5, line 11 – page 7, line 6).

H. Claim 51

Claim 51 is directed to a method of actuating a servicing mechanism (36, 37, 38) to service a printhead (18), comprising:

moving a translation device (54a, 254) into engagement with a first region (103) of a servicing mechanism (36, 37, 38); and

powering said translation device such that said servicing mechanism is moved with respect to said translation device and such that a second region (104) of said servicing mechanism is moved into engagement with said translation device, said second region retaining said translation device in contact with said servicing mechanism (see page 5, line 11 – page 7, line 6).

6. Grounds of Rejection to be Reviewed on Appeal

The issues on appeal are (1) whether the Examiner erred in rejecting claim 13 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No.

5,907,334 (Hirano et al.); (2) whether the Examiner erred in rejecting claims 31-35, 38-39, 42 and 43 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,172,691 (Belon et al); (3) whether the Examiner erred in rejecting claims 20-22, 24-28, 46-49 and 51-54 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2004/0252154 (Griesemer et al); (4) whether the Examiner erred in rejecting claims 16-18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,907,334 (Hirano et al.) in view of U.S. Patent Publication No. 2004/0252154 (Griesemer et al); (5) whether the Examiner erred in rejecting claims 36, 40-41, 44-45 and 55 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,172,691 (Belon et al) in view of U.S. Patent Publication No. 2004/0252154 (Griesemer et al); (6) whether the Examiner erred in rejecting claim 56 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,172,691 (Belon et al) in view of U.S. Patent No. 5,325,151 (Kimura et al.); and (7) whether the Examiner erred in rejecting claim 50 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0252154 (Griesemer et al) in view of US Patent No. 6,328,412 (Taylor et al.); in view of US Patent Publication 2003/0169312 (Ota et al) and further in view of U.S. Patent No. 6,172,691 (Belon et al).

7. Argument

I. Legal Standards

A. Law of Anticipation

Claims 13, 20-22, 24-28, 31-35, 38-39, 42, 43, 46-49 and 51-54 have been rejected under 35 U.S.C. § 102(b), which states:

A person shall be entitled to a patent unless –

...

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States,

....

Under Section 102, a claim is anticipated, i.e., rendered not novel, when a prior art reference discloses every limitation of the claim. In re Schreiber, 128 F.3d 1473, 1477 (Fed. Cir.1997). Although a prior art device “may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so.” In re Mills, 916 F.2d 680, 682 (Fed. Cir. 1990). “Rejections under 35 U.S.C. § 102(a) are proper only when the claimed subject matter is identically disclosed or described in the prior art.” In re Arklely, Eardley, and Long, 172 U.S.P.Q. 524, 526 (CCPA 1972).

Claim terms will be given their ordinary and accustomed meaning, unless there is “an express intent to impart a novel meaning to [the] claim [term]” by the patentee. York Prods., Inc. v. Cent. Tractor Farm & Family Ctr., 99 F.3d 1568, 1572 (Fed. Cir. 1996); Sage Prods. v. Devon Indus., Inc., 126 F.3d 1420, 1423 (Fed. Cir. 1997). The ordinary and accustomed meaning of a claim term is determined by reference to dictionaries, encyclopedias, and treatises available at the time of the patent. See Texas Digital Systems, Inc., 308 F.3d at 1203. Such references are always available for claim construction purposes and are neither extrinsic nor intrinsic evidence. See Texas Digital Systems, Inc. v. Telegenix, Inc., 308 F.3d 1193, 1202-03 (Fed. Cir. 2002).

In order to impart a specific meaning to a claim term, i.e., for the inventor to be her own lexicographer, such lexicography must appear “with reasonable clarity, deliberateness, and precision.” In re Paulsen, 30 F.3d 1475, 1480 (Fed. Cir. 1994). However, intrinsic evidence may be consulted to determine the definite meaning of a claim term that is unclear. CCS Fitness, Inc. v. Brunswick Corp., 288 F.3d 1359, 1367 (Fed. Cir. 2002). A claim term may be redefined without any express statement of redefinition in the specification. Bell Atl. Network Servs., Inc. v. Covad Communications Group, Inc., 262 F.3d 1258, 1268 (Fed. Cir. 2001). “[A] claim term will not carry its ordinary meaning if the intrinsic evidence shows that the patentee distinguished that term from prior art on the basis of a particular embodiment” or “described a particular embodiment as important to the invention.”

B. Law of Obviousness

Claims 16-18, 36, 40-41, 44-45, 50 and 55-56 are rejected under 35 U.S.C. § 103(a), which states:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The legal standards under 35 U.S.C. § 103(a) are well-settled. Obviousness under 35 U.S.C. § 103(a) involves four factual inquiries: 1) the scope and content of the prior art; 2) the differences between the claims and the prior art; 3) the level of ordinary skill in the pertinent art; and 4) secondary considerations, if any, of nonobviousness. See Graham v. John Deere Co., 383 U.S. 1, 148 U.S.P.Q. 459 (1966).

In proceedings before the Patent and Trademark Office, the Examiner bears the burden of establishing a prima facie case of obviousness based upon the prior art. In re Piasecki, 745 F.2d 1468, 1471-72, 223 U.S.P.Q. 785, 787-88 (Fed. Cir. 1984). “[The Examiner] can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references.” In re Fritch, 972 F.2d 1260, 1265, 23 U.S.P.Q. 2d 1780, 1783 (Fed. Cir. 1992).

As noted by the Federal Circuit, the “factual inquiry whether to combine references must be thorough and searching.” McGinley v. Franklin Sports, Inc., 262 F.3d 1339, 60 U.S.P.Q. 2d 1001 (Fed. Cir. 2001). Further, it “must be based on objective evidence of record.” In re Lee, 277 F.3d 1338, 61 U.S.P.Q. 2d 1430 (Fed. Cir. 2002). The teaching or suggestion to make the claimed combination must be found in the prior art, and not in the Appellant’s disclosure. In re Vaeck, 947 F.2d

488, 20 U.S.P.Q. 2d 1438 (Fed. Cir. 1991). The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In re Mills, 916 F.2d 680, 16 U.S.P.Q. 2d 1430 (Fed. Cir. 1990). "It is improper, in determining whether a person of ordinary skill would have been led to this combination of references, simply to '[use] that which the inventor taught against its teacher.'" Lee (citing W.L. Gore v. Garlock, Inc., 721 F.2d 1540, 1553, 220 U.S.P.Q. 303, 312-13 (Fed. Cir. 1983)). Teaching away from the claimed invention is a strong indication of non-obviousness and an improper combination of references. U.S. v. Adams, 383 U.S. 39 (1966).

II. The Examiner's Rejection of Claim 13 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,907,334 (Hirano) Should Be Reversed Because Hirano Does Not Disclose Every Limitation of Each of the Claims.

Claim 13 recites a printer including first and second sleds, the first sled including a first engagement structure and first and second retaining walls positioned on opposite sides of the first engagement structure and the second sled including a second engagement structure positioned adjacent the second retaining wall. The printer further comprises a servicing station drive structure movable between a disengaged position, a first engaged position and a second engaged position. When the drive structure is in the first engaged position the drive structure engages the first engagement structure. When the drive structure is in the second engaged position, the drive structure engages the second engagement structure. Lastly, the printer includes a biasing member that biases the servicing station drive structure to move it from the first engaged position to the second engaged position. An example of this operation is shown in Figure 5.

Hirano fails to disclose (1) a servicing station drive structure which moves between a disengaged position, a first engaged position in engagement with a first engagement structure of a first sled and a second engaged position in engagement with a second engagement structure of a second sled or (2) a biasing member that biases the servicing station drive structure to move from the first engaged position to the second engaged position. In contrast, Hirano merely discloses print head carriers that connect to caps 37 and 34, respectively, and move in unison with such caps until cams 37a and 34a are brought into contact with pins 40 and 39, respectively, to force such caps into engagement with the print heads carried by carriers 10, 19. This is best shown in Figures 3A-3C and Figure 6 of Hirano.

In rejecting claim 13, the Examiner fails to address the ACTUAL claim limitations. First, the Examiner seems to have overlooked the fact that claim 13 recites "a servicing station DRIVE structure." Because the Examiner has failed to even specifically identify what "structure" he considers to be the recited "servicing

station drive structure," Appellants will address the various possibilities from the Examiner's ambiguous referral to column 5, line 47-67 and Column 6, lines 1-11 of Hirano. As noted above, the only **driving** structure disclosed by Hirano is carriers 10, 19 themselves. These are the structures that drive or move cams 34a and 37a to move caps 34, 37, respectively. However, the Examiner has already characterized carriers 10, 19 as the first and second sleds.

Second, the Examiner has also overlooked that claim 13 further requires that this DRIVE structure move between a first engaged position engaging a first engagement structure and a second engage position engaging a second engagement structure. Neither carrier 10 nor carrier 19, individually, move between (A) a first engaged position engaging a first engagement structure and (B) a second engaged position engaging a second engagement structure, since the Examiner has characterized the print heads carried by the carriers as the engagement structures. Clearly, carrier 10 does not ever move to position where it engages the print heads of carrier 19 (characterized by the Examiner as a second engagement structure). Likewise, carrier 19 does not ever move to position where it engages the print heads of carrier 10 (characterized by the Examiner as the first engagement structure).

Alternatively, if it is the Examiner's position that one of cams 34a and 37a associated with caps 34 and 37 constitutes the recited "servicing station drive structure," Appellants' note that nowhere does Hirano ever disclose that cam 37a ever engages carrier 19 or that cam 34a ever engages carrier 10. Thus, cam 34a does not engage each of two engagement structures as recited in the claim 13. Likewise, cam 37a does not engage each of two engagement structures as recited in claim 13. On top of this, the Examiner has already attempted to characterize such cams as the biasing member.

Alternatively, yet again, if it is the Examiner's position that caps 34 and 37 constitute the "servicing station drive structure." Applicants note that caps 34 and 37 do no such driving. Moreover, the claim recites a single structure, not a plurality of distinct structures. Cap 34, itself, does not engage both the color print head (characterized by the Examiner as the second engagement structure) and the black

print head (characterized as the first engagement structure). Cap 38, itself, similarly fails to address such claim limitations.

Third, the Examiner has seemingly overlooked the fact that claim 13 requires that the biasing member biases the servicing station drive structure. In rejecting claim 13, the Examiner characterizes compression springs 35 and 38 of Hirano as the biasing member. However, springs 35 and 38 do not move any such servicing station drive structure. Springs 35 and 38 merely move caps 34 and 37. Caps 34 and 37 are clearly not servicing station DRIVE structures. In addition, claim 13 recites a biasing member (singular). How can two separate springs constitute a "member" (singular)?

Fourth, the Examiner appears to be overlooking the fact that claim 13 further recites that the biasing member moves the servicing station drive structure from the first engaged position in which the servicing station drive structure engages the first engagement structure and a second engaged position in which the exact same servicing station drive structure engages the second engagement structure. As noted above, spring 35 merely moves cap 34. Cap 34 NEVER engages both the black print head and the color print heads (the Examiner characterized the black print head 11 as the first engagement structure and the color print heads 20, 21 and 22 as the second engagement structure).

Spring 38 merely moves cap 37. Cap 37 NEVER engages both the black print head and the color print heads (the Examiner characterized the black print head 11 as the first engagement structure and the color print heads 20, 21 and 22 as the second engagement structure). Thus, in contrast to the Examiner's characterization of Hirano, Hirano fails to disclose a biasing member (a single member) that moves a servicing station drive structure (a single drive structure) into engagement with two distinct engagement structures. The Examiner has simply failed to establish a prima facie case of anticipation. Accordingly, the rejection of claim 13 should be reversed.

III. The Examiner's Rejection of Claims 31-35, 38-39, 42 and 43 under 35 U.S.C. § 102(B) As Being As Being Anticipated by U.S. Patent No. 6,172,691

(Belon et Al) Should Be Reversed Because Belon Does Not Disclose Every Limitation of Each of the Claims.

A. Claim 31

Claim 31 recites a print head servicing mechanism which includes a driveshaft and a sled including a rack adapted to selectively engage the driveshaft. The sled further includes a retaining wall position to retain the driveshaft on the rack in a zone.

Belon fails to disclose a print head servicing mechanism which includes a sled including (1) a rack adapted to selectively engage the drive shaft and (2) a retaining wall positioned to retain said driveshaft on said rack in a zone.

In rejecting claim 31, the Examiner argues that Belon discloses:

a driveshaft (82); a sled (180) including a rack (198) adapted to selectively engage the driveshaft and a retaining wall (housing structure 52) position to retain the driveshaft on the rack in a zone.

(Office Action dated February 5, 2008, page 3).

However, there's rejection is improper as it completely mischaracterizes what is actually taught by Belon. First, claim 31 requires that the sled including a rack that is adapted to selectively engage the driveshaft. Rack 198A of Belon never engages shaft 82. Rack 198 engages the opinion gear 192. Moreover, rack 198 never "**selectively**" engage a shaft 82. Even assuming, arguendo, that rack 198A could be argued as engaging shaft 82 simply because shaft 82 supports rack 198A, it is clear that shaft 198A ALWAYS supports rack 198A. The examiner's characterization appears to overlook the claim limitation "selectively."

Second, claim 31 requires that the sled **include** a retaining wall. Belon does not include any retaining wall. The Examiner attempts to argue that housing structure 52 is a retaining wall. However, sled 182 does not include the housing structure 52. Such an argument is like arguing that the desk in my office includes my office's window.

Third, claim 31 requires that the recited retaining wall retains the driveshaft on the rack in a zone. Clearly, housing structure 52 of Belon (characterized as the retaining wall) is not part of sled 182 and does NOT retain shaft 82 on rack 198A. The Examiner's argument is like arguing that my office's window retains the pencil on my desk. Thus, the rejection of claims 31 should be reversed. Claims 32-35 and 38-39 depend from claim 31 and are patently distinct over Belon for the same reasons.

B. Claim 42

Claim 42 recites a printer which includes a sled having an engagement structure and further recites a drive shaft that is movable between an engaged position and a disengaged position with respect to the engagement structure.

Belon fails to disclose a sled having an engagement structure. Belon fails to disclose a driveshaft that is movable between an engaged position and a disengaged position with respect to the engagement structure of the sled.

In rejecting claim 42, the Examiner attempts to characterize shaft 150, gear 152 and gear 190 of Belon as part of sled 180. This characterization lacks credulity. If such structures were part of sled 180, how come they are not described by Belon as being part of sled 180? One of ordinary skill in the art would not consider shaft 150 to be a part of sled 180. Under the Examiner's rationale, sled 180 also "includes" motor 102 of Belon. Under the Examiner's rationale, a tire of an automobile includes the pistons of the automobile's engine. Although the Examiner is entitled to the broadest reasonable interpretation of the claims, this is a clear instance where the Examiner's interpretation is unreasonable.

In rejecting claim 42, the Examiner further attempts to characterize housing structure 52 as the recited sled "retaining structure." Once again, sled 180 does not include housing structure 52. Once again, the Examiner's argument is like arguing that the desk in my office includes my office's window. Thus, the rejection of claim 42 should be reversed. Claim 43 depends from claim 42 and is patentably the distinct over Belon for the same reasons.

IV. The Examiner's Rejection of Claims 20-22, 24-28, 46-49 and 51-54 under 35 U.S.C. § 102(B) As Being As Being Anticipated by U.S. Patent Publication No. 2004/0252154 (Griesemer et al) Should Be Reversed Because Griesemer et al. Does Not Disclose Every Limitation of Each of the Claims.

A. Claim 20

Claim 20 recites a printing mechanism which includes means for servicing a printhead, wherein the means for servicing includes means for retaining and the first and second means for engaging. Claim 20 further recites means for translating the means for servicing, wherein the means for translating moves from a first translating position in engagement with the first means for engaging and a second translating position in engagement with the second means for engaging.

Griesemer fails to disclose or suggest a printing mechanism which includes means for servicing a printhead, wherein the means for servicing includes means for retaining and the first and second means for engaging. Griesemer also fails to disclose means for translating the means for servicing, wherein the means for translating moves from a first translating position in engagement with the first means for engaging and a second translating position in engagement with the second means for engaging.

In rejecting claim 20, the Examiner completely distorts the claim language or overlooks claim limitations in his attempt to read the structures of Griesemer onto claim 20. First, claim 20 recites a means for servicing. The Examiner characterizes sled 70 of Griesemer as a means for servicing. Claim 20 further recites that the means for servicing includes means for retaining and first and second means for engaging. Here, the Examiner attempts to argue that maintenance house 68 constitutes the means for retaining. However, housing 68 is clearly not part of sled 70. In other words, sled 70 does not include the outer housing 78. Once again, the Examiner's argument is like arguing that the desk in my office includes my office's window. The only way that sled 70 could be reasonably asserted to include housing 68 would be to completely reconstruct Griesemer.

Second, claim 20 recites a means for translating. The Examiner characterizes guide member 88 and slot 86 as the means for translating. Claim 20 also recites that the means for translating moves from a first position in engagement with a first means for engaging and a second position in engagement with the second means for engaging. The Examiner characterized flexible member 106 (the wiper) as a first means for engaging and cap 102 as a second means for engaging. However, neither guide member 88 nor slot 86 **ever** move between a first position in which they engage wiper 106 and a second position in which they engage cap 102. In short, the Examiner's attempt to read the mechanism of Griesemer onto claim 20 fails in multiple respects. Thus, the rejection of claim 20 should be reversed. Claims 21-22 depend from claim 20 and are patentably distinct over Griesemer for the same reasons.

B. Claim 24

Claim 24 recites a method of actuating a service mechanism to service a print head. The method includes moving a translation device into engagement with a retaining portion of a first servicing mechanism, powering the translation device such that the first servicing mechanism is moved with respect to the translation device such that the translation device is positioned out of the retaining region, moving the translation device into engagement with the second region of the servicing mechanism and powering the translation device such that the second servicing mechanism is moved with respect to the translation device.

Griesemer fails to disclose moving a first servicing mechanism with respect to a translation device and moving a second servicing mechanism with respect to the translation device.

In rejecting claim 24, the Examiner characterizes sled 70 as a translating device. The Examiner further characterizes wipers 104, 106 as the first servicing mechanism and printhead caps 100, 102 as the second servicing mechanism.

Claim 24 specifically recites that the translation device is powered such that the first servicing mechanism is **moved with respect to** the translation device.

Claim 24 also recites that the translation device is powered such that the second servicing mechanism is moved with respect to the translation device.

As repeatedly noted by Appellants, sled 70 (characterized by the Examiner has translating device) carries wipers 104, 106 (characterized as the first servicing mechanism) and carries caps 102, 104 (characterized as the second servicing mechanism). As a result, sled 70 CANNOT move with respect to wipers 104, 106, caps 100, 102.

In response to such points, the Examiner argues:

Whenever the sled 70 is moved, the wipers and caps that are mounted on the sled must also move with the sled 70. Therefore the wipers 104 and 106 and 100, 102 (servicing mechanism) move with respect to the sled 70 (translating device) (Figures 4-5; Paragraphs 0044-0045).

(Office Action dated February 5, 2008, page 21).

This response lacks credulity. It is because the caps and the wipers are mounted on the sled that they CANNOT move with respect to the sled. Appellants do not understand how it can be reasonably argued that caps 100, 102 somehow move with respect to the sled 70 to which they are mounted or how it could reasonably be argued that wipers 104, 106 somehow move with respect to the sled 70 to which they are mounted. The claims do not simply recite that the translation device moves with the servicing mechanisms. The Examiner seems to be overlooking the claim limitations "respect to." Thus, the rejection of claim 24 should be reversed. Claims 25-28 depend from claim 24 and are patentably distinct over Griesemer for the same reasons.

C. Claim 46

Claim 46 recites a printing mechanism which includes means for translating a means for servicing a print head. The means for servicing includes means for retaining the means for translating in engagement with the means for servicing in a predetermined zone of engagement of the means for retaining.

Griesemer fails to disclose means for translating and means for servicing, wherein the means for servicing includes means for retaining the means for translating in engagement with the means for servicing in a predetermined zone of engagement of the means for retaining.

In rejecting claim 46, the Examiner once again seemingly overlooks several claim limitations in his attempt to read Griesemer upon claim 46. In rejecting claim 46, the Examiner characterizes sled 70 as a means for translating, characterizes caps 100, 102 and wipers 104, 106 as a means for servicing. This attempt to read Griesemer upon claim 46 lacks merit because (1) sled 70 does not translate the means for servicing and (2) the Examiner's "means for servicing", caps 100, 102 and wipers 104, 106, do NOT include any means for retaining.

First, sled 70 does not translate the Examiner's "means for servicing", caps 100, 102 and wipers 104, 106. In contrast, sled 70 is merely the base or foundation upon which caps 100, 102 and wipers 104, 106 are mounted. A "means for translating" is something that carries out the function of moving. The sled 70 itself does not move anything. Sled 70 does not carry out the means for moving caps 100, 102 and wipers 104, 106. The Examiner's argument is like arguing that the floor of an automobile translates its passengers. The floor does not do anything but support the passengers. Without the actual means for translating the automobile, the engine, transmission and tires, the floor would simply be stationary. Likewise, sled 70 does not do any translating.

Second, the Examiner's "means for servicing", caps 100, 102 and wipers 104, 106, do NOT include any means for retaining. The Examiner characterizes guide members 88 as a means for retaining. However, claim 46 requires that the means for servicing INCLUDES the means for retaining. Guide members 88 are not part of caps 100, 102 and wipers 104, 106 (the Examiner's means for servicing). At most, guide members 88 are part of sled 70. Appellants note that claim 46 does NOT recite that the means for translating (the sled according to the Examiner) includes means for retaining. In complete contrast, claim 46 recites that it is the means for servicing that includes a means for retaining. In order to read Griesemer upon claim

46, the Examiner must distort claim 46 or ignore actual claim limitations. Thus, the rejection of claim 46 should be reversed. Claims 47-49 depend from claim 46 and are patentably distinct over Griesemer for the same reasons.

D. Claim 51

Claim 51 recites a method of actuating a service mechanism which includes moving a translation device into engagement with a first region of a servicing mechanism and powering the translation device such that the servicing mechanism is moved with respect to the translation device and such that a second region of the servicing mechanism is moved into engagement with the translation device.

Griesemer fails to disclose moving a translation device into engagement with a first region of a servicing mechanism and powering the translation device such that the servicing mechanism is moved with respect to the translation device.

In rejecting claim 51, the Examiner characterizes sled 70 as a translating device. The Examiner further characterizes wipers 104, 106 and print head caps 100, 102 as the servicing mechanism.

Claim 51 specifically recites that the translation device is powered such that the servicing mechanism is moved with respect to the translation device.

As repeatedly noted by Appellants, sled 70 (characterized by the Examiner as translating device) carries wipers 104, 106 (characterized as the first servicing mechanism) and carries caps 102, 104 (characterized as the second servicing mechanism). As a result, sled 70 CANNOT move with respect to wipers 104, 106 and caps 100, 102.

In response to such points, the Examiner argues:

Whenever the sled 70 is moved, the wipers and caps that are mounted on the sled must also move with the sled 70. Therefore the wipers 104 and 106 and 100, 102 (servicing mechanism) move with respect to the sled 70 (translating device) (Figures 4-5; Paragraphs 0044-0045).

(Office Action dated February 5, 2008, page 22).

This response lacks credulity. It is because the caps and the wipers are mounted on the sled that they CANNOT move with respect to the sled. Appellants do not understand how it can be reasonably argued that caps 100, 102 somehow move with respect to the sled 70 to which they are mounted or how it could reasonably be argued that wipers 104, 106 somehow move with respect to the sled 70 to which they are mounted. The claims do not simply recite that the translation device moves with the servicing mechanism. The Examiner seems to be overlooking the claim limitations "respect to." Thus, the rejection of claim 51 should be reversed. Claims 52-54 depend from claim 51 and are patentably distinct over Griesemer for the same reasons.

V. The Examiner's rejection of claims 16-18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,907,334 (Hirano) in view of U.S. Patent Publication No. 2004/0252154 (Griesemer et al); should be reversed because neither Hirano nor Griesemer, alone or in combination, disclose or suggest all of the limitations of each of the claims.

Claims 16-18 depend from claim 13 and overcome the rejection for the same reasons discussed above with respect to the rejection of claim 13 based upon Hirano et al.I. Griesemer fails to satisfy the deficiencies of Hirano. Accordingly, the rejection of claims 16-18 should be reversed.

VI. The Examiner's rejection of claim 36, 40-41, 44-45 and 55 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,172,691 (Belon et al) in view of U.S. Patent Publication No. 2004/0252154 (Griesemer et al) should be reversed because neither Belon nor Griesemer, alone or in combination, disclose or suggest all of the limitations of each of the claims.

Claims 36, 40-41 and 55 depend from claim 31 and overcome the rejection for the same reasons discussed above with respect to the rejection of claim 31 based upon Belon. Claims 44-45 depend from claim 42 and overcome the rejection for the

same reasons discussed above with respect to the rejection of claim 42 based upon Belon. Griesemer fails to satisfy the deficiencies of Belon.

VII. The Examiner's rejection of claim 56 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,172,691 (Belon et al) in view of U.S. Patent No. 5,325,151 (Kimura et al.) should be reversed because neither Belon nor Kimura, alone or in combination, disclose or suggest all of the limitations of each of the claims.

Claim 56 depends from claim 31 and overcomes rejection for the same reasons discussed above with respect to the rejection of claim 31 based upon Belon. Kimura fails to satisfy the deficiencies of Belon.

VIII. The Examiner's rejection of claim 50 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0252154 (Griesemer et al) in view of US Patent No. 6,328,412 (Taylor et al.); in view of US Patent Publication 2003/0169312 (Ota et al) and further in view of U.S. Patent No. 6,172,691 (Belon et al) should be reversed because neither Griesemer, Taylor, Ota nor Belon, alone or in combination, disclose or suggest all of the limitations of each of the claims.

Claim 50 depends from claim 46 and overcomes rejection for the same reasons discussed above with respect to the rejection of claim 46 based upon Griesemer. Neither Taylor, Ota nor Belon, alone or in combination, satisfy the deficiencies of Belon.

Conclusion

In view of the foregoing, the Appellants submit that (1) claim 13 is not properly rejected under 35 U.S.C. § 102(b) as being as being anticipated by U.S. Patent No. 5,907,334 (Hirano et al.); (2) claims 31-35, 38-39, 42 and 43 are not properly rejected under 35 U.S.C. § 102(b) as being as being anticipated by U.S. Patent No. 6,172,691 (Belon et al); (3) claims 20-22, 24-28, 46-47 and 51-54 are not properly rejected under 35 U.S.C. § 102(e) as being as being anticipated by U.S. Patent

Publication No. 2004/0252154 (Griesemer et al); (4) claims 16-18 are not properly rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,907,334 (Hirano et al.) in view of U.S. Patent Publication No. 2004/0252154 (Griesemer et al); (5) that claims 36, 40-41, 44-45 and 55 are not properly rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,172,691 (Belon et al) in view of U.S. Patent Publication No. 2004/0252154 (Griesemer et al); (6) that claim 56 is not properly rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,172,691 (Belon et al) in view of U.S. Patent No. 5,325,151 (Kimura et al.); and (7) that claim 50 is not properly rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2004/0252154 (Griesemer et al) in view of US Patent No. 6,328,412 (Taylor et al.) in view of US Patent Publication 2003/0169312 (Ota et al) and further in view of U.S. Patent No. 6,172,691 (Belon et al). Accordingly, Appellants respectfully request that the Board reverse all claim rejections and indicate that a Notice of Allowance respecting all pending claims should be issued.

Summary

For the foregoing, it is submitted that the Examiner's rejections are erroneous, and reversal of the rejections is respectfully requested.

Dated this 7th day of July, 2008.

Respectfully submitted,

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CLAIMS APPENDIX

1. (Previously Presented) A printhead servicing mechanism, comprising:
an axially movable driveshaft including a gear; and
a sled including first and second engagement structures each adapted to selectively engage said gear and a retaining structure positioned between said first and second engagement structures.
2. (Original) A printhead servicing mechanism according to claim 1 wherein said driveshaft is shiftable between a disengaged position and an engaged position wherein said gear engages one of said engagement structures.
3. (Original) A printhead servicing mechanism according to claim 2 wherein when said driveshaft is in the engaged position said gear is shiftable between a first engaged position and a second engaged position, wherein said gear in the first engaged position engages said first engagement structure and wherein said gear in the second engaged position engages said second engagement structure.
4. (Original) A printhead servicing mechanism according to claim 2 wherein said driveshaft in the engaged position is operatively connected to a power shaft that transmits power to said driveshaft.
5. (Original) A printhead servicing mechanism according to claim 2 further comprising a shift structure operatively connected to said driveshaft and moving between an engaged position and a disengaged position, wherein movement of said shift structure from said disengaged position to said engaged position moves said driveshaft from said disengaged position to said engaged position.
6. (Original) A printhead servicing mechanism according to claim 5 wherein said shift structure includes a biasing element that biases said shift arm into said disengaged position.

7. (Original) A printhead servicing mechanism according to claim 6 further comprising a printhead cartridge that overcomes said biasing element on said shift arm and moves said shift structure from said disengaged position to said engaged position.

8. (Original) A printhead servicing mechanism according to claim 3 wherein said driveshaft further includes a biasing member that biases said gear from said first engaged position to said second engaged position.

9. (Original) A printhead servicing mechanism according to claim 4 further comprising a motor that drives said power shaft.

10. (Original) A printhead servicing mechanism according to claim 1 wherein said sled includes a first sled including said first engagement structure and a cap, and a second sled including said second engagement structure and a wiper and a spittoon, wherein said first and second sleds are operable for movement independent of one another.

11. (Original) A printhead servicing mechanism according to claim 8 wherein when said gear is in said first engaged position and in a retaining portion of said retaining structure, said retaining structure retains said gear on said first engagement structure.

12. (Original) A printhead servicing mechanism according to claim 11 wherein said first engagement structure comprises a first rack, said second engagement structure comprises a second rack and said retaining structure comprises a retaining wall positioned therebetween, and said retaining wall comprising first and second end walls with said retaining portion extending therebetween.

13. (Original) A printer comprising:

first and second sleds, said first sled including a first engagement structure and first and second retaining walls positioned on opposite sides of said first engagement structure, and said second sled including a second engagement structure positioned adjacent said second retaining wall;

a servicing station drive structure movable between a disengaged position, a first engaged position, and a second engaged position, said drive structure in the first engaged position engaging said first engagement structure and said drive structure in the second engaged position engaging said second engagement structure; and

a biasing member that biases said servicing station drive structure to move from said first engaged position to said second engaged position.

14. (Original) A printer according to claim 13 wherein said first retaining wall includes an access region, said drive structure moving through said access region when said drive structure is moved from the disengaged position to the first engaged position.

15. (Original) A printer according to claim 13 wherein said second retaining wall includes an access region, said drive structure moving through said access region when said drive structure is moved from the first engaged position to the second engaged position.

16. (Original) A printer according to claim 13 further comprising a biasing member that biases said drive structure to move from the first engaged position to the disengaged position, said first retaining wall including a retaining region that retains said drive structure in said first engaged position and against biased movement to said disengaged position when said drive structure is positioned within said retaining region.

17. (Original) A printer according to claim 13 further comprising a biasing member that biases said drive structure to move from the first engaged position to the second engaged position, said second retaining wall including a retaining region that retains said drive structure in said first engaged position when said drive structure is positioned within said retaining region.

18. (Original) A printer according to claim 16 further comprising:
a shift arm that pivots between an actuated position and a non-actuated position, wherein pivotal movement of said shift structure from the non-actuated position to the actuated position moves said drive structure from the disengaged position to the first engaged position,
wherein said biasing member biases said shift arm to pivot from the actuated position to the non-actuated position; and
a printhead carriage operable to pivot said shift arm from the non-actuated position to the actuated position by overcoming a biasing force of said biasing member.

19. (Original) A printer according to claim 13 wherein in the disengaged position said servicing station drive structure is not in contact with either of said first and second engagement structures, wherein in the first engaged position said servicing station drive structure is powered by a power shaft and mates with said first engagement structure to translate said first servicing sled parallel to a sled translation axis, and wherein in the second engaged position said servicing station drive structure is powered by said power shaft and mates with said second engagement structure to translate said second servicing sled parallel to said sled translation axis.

20. (Original) A printing mechanism including a printhead, comprising:
means for servicing said printhead, said means for servicing including means for retaining and first and second means for engaging; and

means for translating said means for servicing said printhead, said means for translating operable to move from a first translating position in engagement with said first means for engaging to a second translating position in engagement with said second means for engaging,

wherein said means for retaining includes a retaining region, and wherein said means for retaining retains said means for translating in said first translating position when said means for translating is positioned within said retaining region.

21. (Original) A printing mechanism according to claim 20 further comprising means for shifting said means for translating between a disengaged position and said first translating position, said means for shifting biased to shift said means for translating into said disengaged position in the absence of an external force on said means for shifting.

22. (Original) A printing mechanism according to claim 20 wherein said printhead is configured to selectively actuate said means for shifting by advancing into and out of contact with said means for shifting.

23. (Original) A printing mechanism according to claim 21 wherein said means for servicing comprises first and second servicing sleds, said means for retaining comprises a retaining wall positioned on said first sled, said first and second means for engaging comprise, respectively, first and second racks each extending along said retaining wall, said first rack positioned on said first sled and said second rack positioned on said second sled, said means for translating comprises a driveshaft, and said means for shifting comprises a shift arm including a leaf spring, a first end adapted for contact with said printhead, and a second end secured to said driveshaft.

24. (Original) A method of actuating a servicing mechanism to service a printhead, comprising:

moving a translation device into engagement with a retaining region of a first servicing mechanism;

powering said translation device such that said first servicing mechanism is moved with respect to said translation device such that said translation device is positioned out of said retaining region;

moving said translation device into engagement with a second region of said servicing mechanism; and

powering said translation device such that said second servicing mechanism is moved with respect to said translation device.

25. (Original) A method according to claim 24 wherein the step of moving the translation device into engagement with the first servicing mechanism comprises moving a printhead carriage into contact with an actuation device so as to move the actuation device from a non-actuated position to an actuated position, wherein movement of said actuation device from said non-actuated position to said actuated position moves said translation device from a disengaged position into engagement with said first servicing mechanism.

26. (Original) A method according to claim 25, prior to moving said translation device into engagement with the second servicing mechanism, further comprising:

removing said printhead carriage from contact with said actuation device, whereafter a retaining wall of said retaining region retains said translation device in engagement with said first servicing mechanism in said retaining region.

27. (Original) A method according to claim 24 wherein said step of powering said translation device such that said translation device is positioned out of said retaining region comprises:

powering said translation device such that said first servicing mechanism is moved with respect to said translation device such that said translation device is moved into an access region of said first servicing mechanism; and

moving said translation device through said access region of said first servicing mechanism.

28. (Original) A method according to claim 27 wherein said translation device is biased by a biasing member to move through said access region of said first servicing mechanism.

29. (Original) A printer comprising:

a housing;

a printhead carriage positioned within said housing and supporting a printhead for movement along a printhead carriage axis between a printzone and a servicing region;

a feed roller drive shaft operable to move a sheet of print media through said printzone;

a servicing sled positioned within said servicing region and including a spittoon, a wiper, a cap, first and second racks and a guide wall positioned between said racks, said guide wall including a retaining region and an access region; and

a servicing sled drive shaft powered by said feed roller drive shaft, said servicing sled drive shaft including a gear slidably mounted thereon, and a biasing member secured to said shaft and said gear, said servicing sled drive shaft movable between a disengaged position wherein said gear is not in contact with said servicing sled and an engaged position wherein said gear is movable between contact with said first rack and second rack,

wherein said biasing member biases said gear to move from said first rack to said second rack when said gear is aligned with said access region of said guide wall and wherein said retaining wall retains said gear on said first rack when said gear is positioned adjacent said retaining region of said guide wall.

30. (Original) A printhead servicing mechanism according to claim 1 further comprising a biasing member coupled to said driveshaft for biasing the driveshaft out of engagement with said first and second engagement structures.

31. (Original) A printhead servicing mechanism, comprising:
a driveshaft; and
a sled including a rack adapted to selectively engage said driveshaft and
a retaining wall positioned to retain said driveshaft on said rack in a zone.
32. (Original) A printhead servicing mechanism according to claim 31
wherein said driveshaft is shiftable between a disengaged position and an engaged
position wherein said driveshaft engages a powered gear and said rack.
33. (Original) A printhead servicing mechanism according to claim 32
wherein said powered gear is operatively connected to a power shaft that, when said
driveshaft is in the engaged position, said powered gear transmits power to said
driveshaft.
34. (Original) A printhead servicing mechanism according to claim 33
wherein said powered gear is an idler gear and wherein said power shaft transmits
power to said driveshaft through said idler gear.
35. (Original) A printhead servicing mechanism according to claim 34
further comprising a shift arm that moves between an engaged position and a
disengaged position, wherein movement of said shift arm from said disengaged
position to said engaged position moves said driveshaft into engagement with said
idler gear and said rack.
36. (Original) A printhead servicing mechanism according to claim 35
further comprising a printhead carriage that moves said shift arm from said
disengaged position to said engaged position.
37. (Original) A printhead servicing mechanism according to claim 36
wherein said retaining wall includes a first region and a second region, wherein

powering of said driveshaft moves said driveshaft from said first region to said second region of said rack, and wherein movement of said driveshaft from said first region to said second region of said rack moves said shift arm out of engagement with said printhead carriage.

38. (Original) A printhead servicing mechanism according to claim 33 further comprising a motor that drives said power shaft.

39. (Original) A printhead servicing mechanism according to claim 31 wherein said sled further includes a cap, a wiper and a spittoon.

40. (Original) A printhead servicing mechanism according to claim 36 wherein said shift arm includes a biasing element that biases said shift arm to move said driveshaft into said disengaged position when said driveshaft is not positioned in said zone of said retaining wall.

41. (Original) A printhead servicing mechanism according to claim 32 wherein when said driveshaft is in said disengaged position said retaining wall interferes with said driveshaft thereby preventing movement of said sled.

42. (Original) A printer comprising:
a sled including an engagement structure and a retaining structure;
a power shaft that transmits power to a driveshaft; and
the driveshaft movable between an engaged position and a disengaged position, said driveshaft in the engaged position engaging said power shaft and said engagement structure of said sled so as to transmit power from said power shaft to said sled,

wherein said sled retaining structure retains said driveshaft in said engaged position in a predetermined zone of said retaining structure.

43. (Original) A printer according to claim 42 further comprising a shift mechanism that moves between an actuated position and a non-actuated position, wherein movement of said shift mechanism from the non-actuated position to the actuated position moves said driveshaft from the disengaged position to the engaged position.

44. (Original) A printer according to claim 43 further comprising a printhead carriage movable between an engaged position and a disengaged position, wherein movement of said printhead carriage from the disengaged position to the engaged position moves said shift mechanism from the non-actuated position to the actuated position.

45. (Original) A printer according to claim 43 wherein said shift mechanism comprises a shift arm including a biasing member, said biasing member biasing said shift arm into the non-actuated position in the absence of an external force on said shift arm.

46. (Original) A printing mechanism including a printhead, comprising:
means for translating a means for servicing said printhead, said means for translating biased to move from a translating position and a non-translating position in the absence of an external force on said means for translating; and
means for servicing said printhead, said means for servicing including means for retaining said means for translating in engagement with said means for servicing in a predetermined zone of engagement of said means for retaining.

47. (Original) A printing mechanism according to claim 46 further comprising means for shifting said means for translating between said translating position and said non-translating position, said means for shifting biased to translate said means for translating into said disengaged position in the absence of an external force on said means for shifting.

48. (Original) A printing mechanism according to claim 47 wherein said printhead is configured to selectively actuate said means for shifting by advancing into and out of contact with said means for shifting.

49. (Original) A printing mechanism according to claim 46 further comprising means for powering said means for translating, wherein said means for translating engages said means for servicing and said means for powering in said translating position.

50. (Original) A printing mechanism according to claim 47 wherein said means for servicing comprises a servicing sled including a rack that extends along a length of said sled, said means for retaining comprises a guide wall positioned adjacent to and extending along at least a portion of said rack, said means for translating comprises a driveshaft that engages a powered gear and said rack and is retained on said rack by said guide wall in said translating position, and said means for shifting comprises a shift arm including a leaf spring, a first end adapted for contact with said printhead, and a second end secured to said driveshaft.

51. (Original) A method of actuating a servicing mechanism to service a printhead, comprising:

moving a translation device into engagement with a first region of a servicing mechanism; and

powering said translation device such that said servicing mechanism is moved with respect to said translation device and such that a second region of said servicing mechanism is moved into engagement with said translation device, said second region retaining said translation device in contact with said servicing mechanism.

52. (Original) A method according to claim 51 wherein said step of moving the translation device comprises moving a printhead carriage into contact with an actuation device so as to move the actuation device from a non-actuated condition to

an actuated condition, wherein movement of said actuation device from said non-actuated position to said actuated position moves said translation device from a disengaged position into engagement with said first region of said servicing mechanism.

53. (Original) A method according to claim 52 further comprising:
removing said printhead carriage from contact with said actuation device, whereafter said translation device remains engaged with said servicing mechanism while said translation device is in contact with said second region of said servicing mechanism, and
thereafter, translating said servicing mechanism, such that said second region is moved with respect to said translation device, to service said printhead in the absence of said printhead carriage.

54. (Original) A method according to claim 53 further comprising translating said servicing mechanism such that said second region of said servicing mechanism is moved out of contact with said translation device, whereupon said translation device is biased into said disengaged position.

55. (Original) A printhead servicing mechanism according to claim 31 further comprising a biasing member coupled to said driveshaft for biasing the driveshaft out of engagement with said rack.

56. (Original) A printhead servicing mechanism according to claim 34 wherein said driveshaft includes projections, and said idler gear includes projections, and wherein in the engaged position said projections of said driveshaft mate with said projections of said idler gear.
circuit.

EVIDENCE APPENDIX

There is no evidence previously submitted under 37 C.F.R. §§ 1.130, 1.131 or 1.132 or other evidence entered by the Examiner and relied upon by Appellant in this appeal. Accordingly, the requirements of 37 C.F.R. §§ 41.37(c)(1)(ix) are satisfied.

RELATED PROCEEDINGS APPENDIX

There are no decisions rendered by a Court of the Board in a proceeding identified in the Related Appeals and Interferences section. Accordingly, the requirements of 37 C.F.R. §§ 41.37(c)(1)(x) are satisfied.